



Honorable Linda B. Riegle
United States Bankruptcy Judge



Entered on Docket
January 05, 2012

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**ORDER RE STIPULATED MOTION
TO ALLOW IN PART PROOF OF
CLAIM FILED BY DONALD
PINSKER BASED UPON
INVESTMENT IN THE OAK SHORES
II LOAN**

The Court having considered the Stipulated Motion to Allow in Part Proof of Claim Filed by Donald Pinsker Based Upon Investment in the Oak Shores II Loan [DE 9639], and good cause appearing:

IT IS ORDERED that:

1. The Motion is GRANTED;
2. Proof of Claim Number 10725-02423 filed by Donald Pinsker in the amount of \$1,633,057.16 is allowed in part in the amount of \$20,000 and disallowed in part in the amount of \$120,000 as that amount relates to an investment in the Oak Shores II Loan;
3. The Trustee is authorized to make an interim distribution equal to 4.92% of \$20,000 to Mr. Pinsker as his pro rata share of the funds reserved by the Trust from the initial creditor distribution.



3. The Trustee is authorized to make an interim distribution equal to 4.92% of \$20,000 to Mr. Pinsker as his pro rata share of the funds reserved by the Trust from the initial creditor distribution.
4. The disallowance of the balance of the claim as it relates to an investment in the Oak Shores II Loan does not affect Mr. Pinsker's right to repayment by the borrower or from the collateral securing the Oak Shores II Loan, and
5. This order does not affect Mr. Pinsker's claim to the extent it is based on investments in other loans.

PREPARED AND RESPECTFULLY SUBMITTED BY:

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APPROVED AS TO FORM AND CONTENT:

S/ Donald Pinsker
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